

Application Serial No. 10/699,919

Amendment Dated April 29, 2005- Response to Office Action of March 2, 2005

### **AMENDMENTS TO THE CLAIMS**

Kindly amend the claims as follows.

Claims 1-20 (canceled).

Claim 21 (currently amended): A game kit comprising

a) a plurality of fracture-resistant spheres, with at least one sphere having a visible figure inside;

b) at least one information indicator; and

c) a random number generator;

wherein the at least one information indicator further comprises indicia that indicate specific properties to be associated with the spheres in the context of a game setting.

Claim 22 (previously presented): The game kit of claim 21, wherein the random number generator comprises at least one die.

Claim 23 (previously presented): The game kit of claim 21, further comprising a plurality of markers for use in defining a playing field.

Claim 24 (previously presented): The game kit of claim 23, wherein each marker further comprises a flat base.

Claim 25 (previously presented): The game kit of claim 21, wherein at least one of spheres is of a different size than the other spheres.

Claim 26 (previously presented): The game kit of claim 21, wherein the number of information indicators equals the number of spheres, and each information indicator further comprises at least two values.

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**Claim 27 (currently amended):** A method of playing a game comprising the steps of:

- a) providing a plurality of spheres, with at least one sphere having a visible figure associated with it,
- b) providing indicia associated with the plurality of spheres;
- c) providing a random number generator;
- d) placing a first sphere inside a defined playing field;
- e) physically striking the first sphere inside the playing field with a second sphere; and
- f) using the random number generator in combination with the indicia to determine an outcome.

**Claim 28 (previously presented):** The method of claim 27, wherein the random number generator comprises at least one die.

**Claim 29 (previously presented):** The method of claim 28, wherein the playing field is defined using a plurality of markers.

**Claim 30 (previously presented):** The method of claim 28, wherein the playing field is defined using a game surface.

**Claim 31 (currently amended):** The method of claim 28, wherein the second sphere strikes the first sphere by entering the playing field after being launched from outside the playing area field.

**Claim 32 (previously presented):** The method of claim 31, wherein the position of the first sphere in relation to the playing field after the second sphere strikes the first sphere is a factor in determining the outcome.

**Claim 33 (previously presented):** The method of claim 31, further comprising the step of removing the first sphere from the playing field after being struck by the second sphere.

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**Claim 34 (previously presented):** The method of claim 31, further comprising the step of repositioning the first sphere in the playing field after being struck by the second sphere.

**Claim 35 (currently amended):** A game comprising:

a first sphere having a first value;

a second sphere having a second value; and

instructive indicia describing rules wherein the first value is compared to the second value when the first sphere contacts the second sphere to determine an outcome.

**Claim 36 (currently amended):** The game of claim 35, wherein the instructive indicia further comprise a rule that the first value is modified before being compared with the second value.

**Claim 37 (previously presented):** The game of claim 36, wherein the first value or the second value is modified by a first number generated by a random number generator.

**Claim 38 (previously presented):** The game of claim 37, wherein an outcome includes removing the second sphere from the game.

**Claim 39 (previously presented):** The game of claim 37, wherein an outcome includes reducing the second value.

**Claim 40 (previously presented):** The game of claim 38, wherein the second value is modified before being compared with the first value.